

# **INFRACTION TRAINING: CHAPTER 3**

## **SUMMARY SUSPENSION OF LIQUOR LICENSES AND VIOLATIONS OF MASK REQUIREMENTS AND GATHERING SIZE RESTRICTIONS**

### **TRAINING FOR LOCAL OFFICIALS**

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**NOVEMBER 6, 2020**

# TEAM INTRODUCTION

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- Lori J. Mathieu, Chief, Environmental Health and Drinking Water Branch, Department of Public Health
- Alexandra Daum, Deputy Commissioner, Department of Economic & Community Development
- John J. Suchy, Director, Department of Consumer Protection Liquor Control
- Caitlin Anderson, Esq., Department of Consumer Protection
- Kate Keenan, Esq., Department of Public Health
- Christine Hahn, Epidemiologist, Department of Public Health
- Eric Scoville, Emergency Management Program Specialist, Div. of Emergency Management and Homeland Security, Department of Emergency Services & Public Protection

# AGENDA

- Purpose of Webinar
- Process for Summary Suspension of Liquor Licenses
- Executive Order No. 9K – Increased Protective Measures in Response to COVID-19 Resurgence
- Sector Rules
- Executive Order No. 7PP—Enforcement of Sector Rules
- Executive Order No. 9B—Authority to Issue Fines
- Tools in the Toolbox
- Next Steps
- Question and Answer Session

# PURPOSE OF WEBINAR

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- Process for Summary Suspension of DCP Liquor Licenses
- Changes to DECD Sector Rules and review of Executive Order No. 9K
- Local Officials' Authority Under Executive Order Nos. 7PP and 9B
- Other tools and DESPP planning strategies

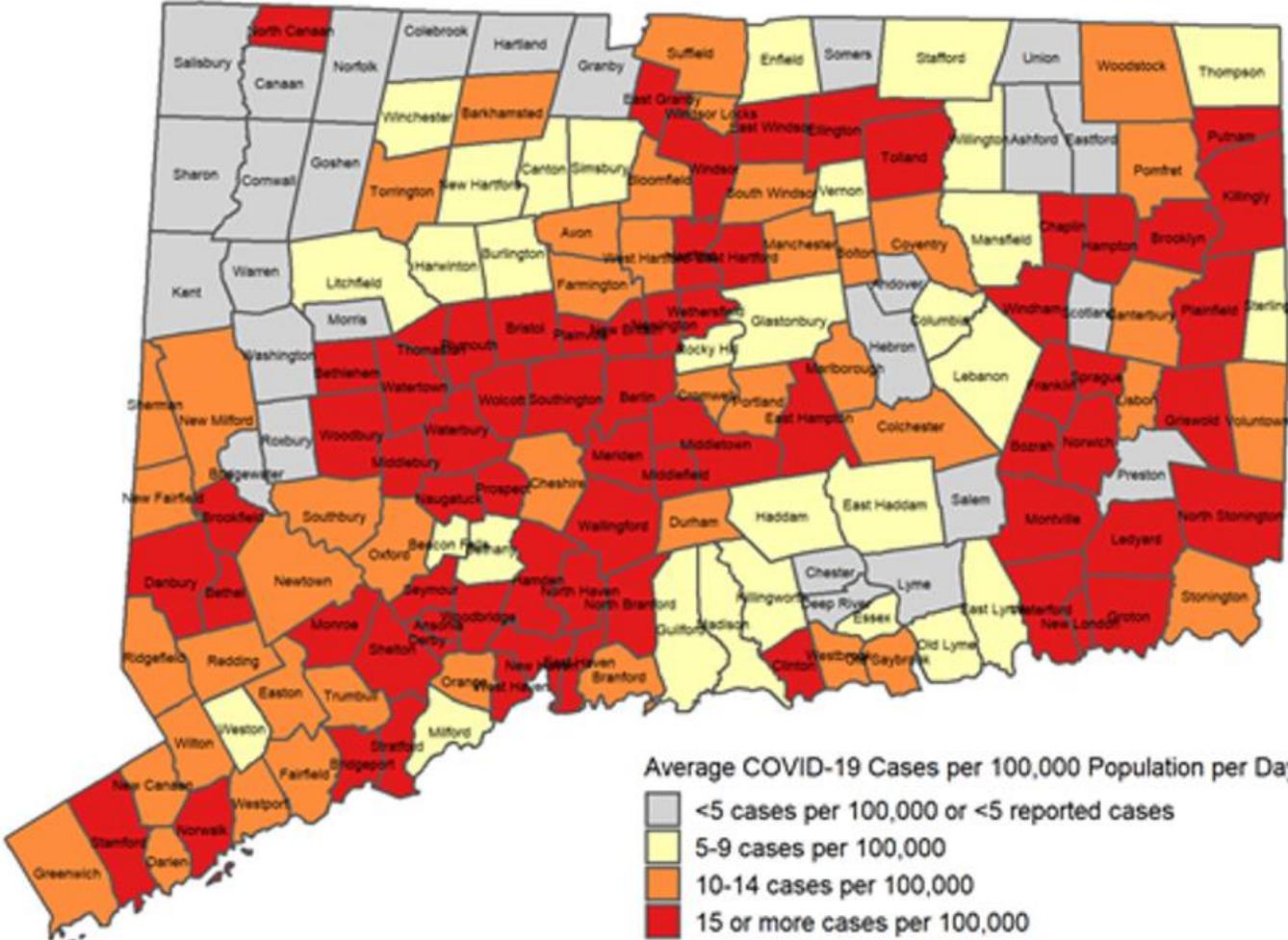
# PUBLIC HEALTH CONCERN – COVID-19 CASE RATES

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- There are 43 municipalities in the Orange-Level Alert category and 68 municipalities in the Red-Level Alert category, as indicated in DPH's weekly COVID-19 Alert Map published by DPH yesterday.
- Mask wearing, social distancing and enforcement of Sector Rules are key to protecting public health

# PUBLIC HEALTH CONCERN - COVID-19 CASE RATES

Average Daily Rate of COVID-19 Cases among People Living in Community Settings per 100,000 Population by Town with Specimen Collection or Onset Date During October 18-31





CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

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*Securing a Safe & Fair Marketplace.*

## Liquor Control Division

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Michelle H. Seagull, Commissioner of Consumer Protection

John J. Suchy, Division Director

Caitlin Anderson, Esq.

<https://portal.ct.gov/DCP/Liquor-Control-Division>

# SUMMARY SUSPENSION

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## CGS 4-182 (c)

DCP Commissioner may suspend a liquor permit immediately and without a hearing if he/she determines that the public health, welfare and public safety is imperiled.

- Stabbing/shooting inside permit premises
- Major fire safety issue
- Major disturbance which drains police resources leaving the remainder of town/city unprotected
- Major and immediate public health issue
- Usually a referral from the chief of police or the head of a local health department agency will initiate a review for a summary suspension
- **Timeliness is vitally important**



# Local Health Department Referral for Summary Suspension Consideration

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**\*LETTER MUST COME FROM HEALTH DIRECTOR OR DESIGNEE ON LETTERHEAD**

## What to include in letter to DCP:

1. HEALTH INCIDENT/ POLICE REPORT
2. PERMIT INFORMATION, IF POSSIBLE
3. OBSERVED VIOLATIONS
4. WHY IT'S AN EMERGENCY SITUATION
5. HEALTH INSPECTOR AVAILABLE TO TESTIFY
  - Day time phone#
  - Evening phone#
  - Cell #
  - Email Address
6. EVIDENCE
  - Digital pictures
  - Audio
7. WITNESSES
  - Date of birth(s)
  - Phone number(s)
  - Email address

***NOTE: SUBMIT REFERRALS  
IN A TIMELY MANNER!!!!***



# Contact Information

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- Staff Attorney Caitlin Anderson [caitlin.anderson@ct.gov](mailto:caitlin.anderson@ct.gov)

**Website:** <https://portal.ct.gov/DCP/Liquor-Control-Division>

**Email:** [dcp.liquorcontrol@ct.gov](mailto:dcp.liquorcontrol@ct.gov)

**General Phone Number:** (860) 713-6210

**Mailing Address:** 450 Columbus Blvd, Suite 901, Hartford CT 06103



# **Executive Order No. 9K - Increased Protective Measures in Response to COVID-19 Resurgence**

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- Per new Executive Order No. 9K all towns transition to Phase 2.1 on November 6, 2020
- Indoor/Outdoor events at commercial venues are grandfathered in for existing Phase. These events will transition to Phase 2.1 on November 9, 2020
- Refer to DECD Website for updated Sector Rules and Phase 2.1 information

Industry	Phase 2	Phase 3	Phase 2.1
<b>Restaurants</b>	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers  Max of 8 people/table
<b>Personal Services</b>	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers	See Phase 3 rules
<b>Libraries</b>	Up to 50% capacity indoors	Up to 75% capacity indoors	See Phase 3 rules
<b>Outdoor Event Venues (e.g. Amphitheaters, Race Tracks)</b>	Up to 25% with social distancing and masks required	Up to 50% with social distancing and masks required	Up to 25% with social distancing and masks required
<b>Indoor Performing Arts Theaters</b>	Closed	Up to 50% capacity with 6 ft spacing between parties	Up to 50% capacity with 6 ft spacing between parties, capped at 100 people
<b>Indoor Recreation</b>	Up to 50% with social distancing and masks required	Up to 50% with social distancing and masks required	Up to 50% with social distancing and masks required, capped at 100 people
<b>Private, Social and Recreational Gathering Sizes – Commercial Venue</b>	Indoor – Cap of 25 people Outdoor – Cap of 100 people	Indoor – Up to 50% capacity, capped at 100 people Outdoor – Cap of 150 people	Indoor – Cap of 25 people Outdoor – Cap of 50 people
<b>Private, Social and Recreational Gathering Sizes – Private Residences</b>	Indoor - Cap of 25 people Outdoor – Cap of 100 people	Indoor - Cap of 25 people Outdoor – Cap of 150 people	Indoor – Cap of 10 people Outdoor – Cap of 10 people
<b>Religious Gatherings</b>	Indoor – Up to 25% capacity capped at 100 people Outdoor – Capped at 150 people	Indoor - Up to 50% capacity, capped at 200 with masks and social distancing required Outdoor - Up to 50% capacity or 6 ft spacing, no capacity limit with masks and social distancing required	Indoor – Up to 50% capacity, capped at 100 with masks and social distancing required Outdoor – See Phase 3 rules

# SECTOR RULES

[www.ct.gov/coronavirus](http://www.ct.gov/coronavirus)

# EXECUTIVE ORDER NO. 7PP— ENFORCEMENT OF SECTOR RULES

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- Issued by Governor Ned Lamont on May 18, 2020
- Section 2 of Executive Order No. 7PP:
  - Modifies § 19-13-B1 of the Regulations of Connecticut State Agencies to include in the definition of public nuisance a violation of the Sector Rules.
  - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a local or district health director to order the closure of a Public Health Facility until such time as he or she determines that the Public Health Facility has abated the nuisance by coming into compliance with the Sector Rules. “Public Health Facility” is defined in the Executive Order to include hair salons, barbershops, beauty shops, nail salons, spas, tattoo or piercing establishments, restaurants, eating establishments, private clubs, or any locations licensed for on-premise consumption of alcohol, that are allowed to reopen pursuant to the Sector Rules.
  - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a Municipal Designee to order the closure of any business other than a Public Health Facility in violation of the Sector Rules until such time as the Municipal Designee determines that such business has abated the nuisance by coming into compliance with the Sector Rules.

# EXECUTIVE ORDER NO. 9B— AUTHORITY TO ISSUE FINES

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- Issued by Governor Ned Lamont on September 15, 2020.
- Section 2 of Executive Order No. 9B authorizes local health directors, district health directors, and their designees; municipal chief executive officers and their designees; and state and municipal police officers, among others, to issue fines for the following violations:
  - \$100 fine for failing to wear a mask or cloth face covering while in any public place or in any location where and for whom wearing a mask or face covering is required
  - \$100 for a business entity, rather than the employee, for any employee's failure to wear a required mask or cloth-face covering while at work
  - \$250 fine for any person who attends a gathering that violates the gathering size restrictions
  - \$500 fine for any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions

# HOW TO OBTAIN COMPLAINT TICKET BOOKS

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- Local officials, other than local and district health departments, should send an email to: [traffictickets@jud.ct.gov](mailto:traffictickets@jud.ct.gov) to request complaint ticket books.
- Local and district health departments should send an email to: [DPH.LHD.E09B.violations@ct.gov](mailto:DPH.LHD.E09B.violations@ct.gov) to request complaint ticket books.

# OTHER TOOLS IN THE TOOLKIT

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- Infractions are just one tool in your toolkit to encourage compliance.
- Be proactive; use messaging as a tool to encourage voluntary compliance.
- Communicate; often and across all platforms.
  - Wear a mask, wash hands, maintain social distancing and stay home if you feel sick.
  - Traditional media, social media, video, in person etc.
  - Leverage all accounts (Local CEO, Fire, Police, EMS, Local Public Health, Emergency Management etc.)
  - Leverage local influencers with large following and strong community ties.
- State Resources:
  - Mass Notification System/Everbridge Guidance: [https://portal.ct.gov/-/media/DEMHS/\\_docs/Plans-and-Publications/EHSP0088-CVDMassNotificationSystemGuidance.pdf](https://portal.ct.gov/-/media/DEMHS/_docs/Plans-and-Publications/EHSP0088-CVDMassNotificationSystemGuidance.pdf)
  - Community Resource Templates: <https://portal.ct.gov/Coronavirus/CommunityResources>
  - ESF-15 Diverse Community Outreach Task Force Distribution List: <https://portal.ct.gov/diverseoutreach>

# NEXT STEPS

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Use your Unified Command structure and partners to set up a team and create a plan for “battle rhythm” of communications and to spell out the enforcement process. Partners may include:

- CEO
- Local Public Health (ESF 8)
- Local Law Enforcement (ESF 13)
- Emergency Management (ESF 5)
- Public Messaging partner (ESF 15)

Plan may include:

- Who is responsible for which enforcement actions (for example, local public health has very specific enforcement authority—the CEO designee is responsible for the rest--list out who is responsible for what)
- How are complaints being transmitted to the right party and how are the enforcement actions in your community being tracked?
- What is the communications flow between team members? What is the messaging that is being sent to the public?

# QUESTIONS AND ANSWERS